



Section 7 - Return To Work (RTW) Short-Term and Long-Term Disability Frequently Asked Questions (FAQs)

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RTW Assistance

(1) Who do I contact for assistance with staying at work, returning to work or the rehire process?

As a result of a vacancy in the State of Delaware’s Return to Work Coordinator (RTW-C) position within the Statewide Benefits Office (SBO), effective June 1, 2018 and until otherwise noted, HR/Benefits personnel, their employees or former employees requiring assistance with staying at work, returning to work or the rehire process as defined in the Disability Insurance Program Return to Work section of [Delaware Code](#) (Title 29, Chapter 52.A., § 5257) should do the following:

- Individuals on Short Term Disability (STD) may contact their Hartford Ability Analyst at 800-549-6514 (select option 1, then enter the Analyst’s last name/extension or wait on the line to be connected) for assistance with returning to work. The Hartford Ability Analyst will assess and connect individuals as appropriate to a Hartford RTW Coordinator.
- Individuals on Long Term Disability (LTD) may contact their Hartford Ability Analyst at 800-549-6514 (select option 1, then enter the Analyst’s last name/extension or wait on the line to be connected) for rehire assistance. The Hartford Ability Analyst will assess and connect individuals as appropriate to a Hartford RTW Coordinator.

- Individuals who have exhausted the STD benefit period may contact their former employer for placement assistance per Delaware Code.

Please note, if you are an actively employed qualified individual seeking accommodation under the ADA, please contact your employing organization's HR department for assistance.

RTW Processes

(2) What happens if an employee is released to return to work but not at full capacity?

There is a process for Return to Work that is followed for keeping or returning an employee or former employee to work. Each situation will be evaluated on an individual basis for available and appropriate placement. When returning an employee to work the following is considered:

- Same job, same employer
- Same job with modifications, same employer
- Same job, different employer
- Same job with modifications, different employer
- Different job, same employer
- Different job, different employer
- Retraining and/or Education

Each of these options will be considered as a return to work plan is being developed.

Please note, individuals who have returned to work and are working on a *temporary* reduced, alternate, light duty and/or part-time basis through the exhaustion of the STD benefit period, will not have their employment terminated, consistent with the applicable federal and state laws and rules, whether or not they have been approved for LTD.

Modified or Alternate Duty

(3) What happens if an employee is offered modified duty as outlined on their release to RTW but declines?

If an employee is offered modified duty and declines, the employee's disability benefit may be suspended, terminated or denied.

(4) What happens if an employee is released to return to work with temporary restrictions?

Employing organizations will make every effort to keep an employee in their own job with a temporary modification or if accommodations have been requested. If the

employing organization denies the request for the temporary, modified duty and/or the requested accommodations, a written explanation will be provided to the Hartford.

Rehire from LTD or After the Exhaustion of STD

(5) Do individuals have to apply and interview for a position when being rehired from Long Term Disability or after the exhaustion of the maximum STD benefit period?

Former merit employees being rehired from LTD or after the exhaustion of the STD benefit period **may be placed** in any merit position, for which they qualify without a referral list, as long as the paygrade does not exceed their paygrade at the time of their acceptance into and eligibility for the STD Program. Exceptions to the paygrade limitation may be made for vacancies for which a documented shortage of qualified applicants exists. Interviews are not required but are at agency discretion. An application may be required when the individual is returning to active employment.

Former non-merit employees being rehired from LTD or after the exhaustion of the STD benefit period **will be placed** by their previous employer into a vacant position within their respective agency for which they qualify.

Disclaimer -

If there is any conflict in interpretation between the FAQ's and the Short-Term Disability (STD) and Long-Term Disability (LTD) program contract provisions and existing law, the contract provisions and/or law govern.

Questions regarding the Disability Insurance Program?

Please contact the Statewide Benefits Office Customer Service Team by telephone at (302) 739-8331 or (800) 489-8933 or by email at benefits@state.de.us.

Please refer to the Disability Insurance Program Rules & Regulations at www.ben.omb.delaware.gov/disability for more information.

Questions regarding Workers' Compensation, state Personal Injury Protection or the Salary Supplement?

Please contact the Insurance Coverage Office at (302) 739-3651 or by email at inscov@state.de.us.